

This rule of construction

- Makes the clause of the Constitution equal for all reasonable purposes;
- Equalizes its operation upon the States;
- Secures it against abuse.

Governor Seward rested his refusal to comply with the requisition of the Executive of Virginia, upon the ground that the act charged as

no, was not a crime, according to the common law, the law of nations, or the statute law of New York. Was not this too narrow a view? May there not be acts, *mala in se*, deemed to be crimes by the laws of a particular nation, which yet are no crimes at common law, by the laws of civilized nations generally, or by the commission of which, however, might properly bring a fugitive within the clause in the constitution? If there be, the rule of construction we suggest, will meet such cases. This is the place briefly to reply to the special argument of the Enquirer. Fraudulent taking, it says having in possession counterfeit

notes, for the purpose of selling, bartering or disposing of them, (aside from the commission of any overt act,) confining a free black or mulatto in this State, with the intent to transport him out of it, are all declared to be crimes by the Legislature of Ohio; and not one of them is a crime, "except that the Legislature

made it so." He then supposes that perjury of these crimes flee to Kentucky, are demanded by the Governor of this State thereupon his Kentucky excellency gravely says, "These men have committed no crime!" The answer is easy: The Legislature does not make crime: it only declares it. These are crimes, whether legislated upon or not. No man in his senses, in any community, will deny this. And they are crimes which every

is equally interested in punishing and  
repressing. In the supposed case, therefore,  
Enquirer attributes a blindness, or a stu-  
pidity to his Excellency, the Governor of Ken-  
tucky, of which none but a natural fool could  
be subject.

Of course, no such confusion, as he imagines,  
follow the practical operation of our rule  
instruction—for the simple reason that it  
provides for precisely such cases as the

provided for, probably such cases as the  
 firer has instigated, and all other cases, in  
 the act charged as a crime, was *malum*  
 and therefore, hurtful to society.

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**Congress.** FEBRUARY 21.  
 S. SENATE.—Mr. Fairfield laid before the  
 resolutions from the Legislature of

asking Congress to pay for the claims American citizens caused by the French torturers prior to 1801.

Foster of Texas reported a bill for the settlement of the claims of P. S. Biddle of Baltimore.

Resolution of Mr. Allen, that the Texas session be made the order of the day at 12 o'clock hereafter, coming upon its passage, Mr. Walker said he thought two hours ought to be set aside to the public business, if four hours should be given each day to Texas. Mr. Walker said

each day to Texas. Mr. Walker said  
were 18 Senators who desired to speak  
the Texas question. The resolution was  
led.  
The Navy Pension Bill was taken from the  
and finally passed as it came from the  
e.  
**Texas Debate.**—Mr. Simmons resumed the  
which commenced by him yesterday upon the  
question, and against the resolutions.—  
When he concluded,  
Merrick, of Md., obtained the floor. He

the session of Congress was near its close; he was peculiarly situated, and desired to leave his position. He had studied the question in private and in public, and had come to the conclusion that it was right to vote for the ratification. He was called upon to separate those with whom he had usually acted, and those with whom he had usually acted, and hoped "they would gently scan their brother's sin." Mr. Merrick said he regarded the question as vastly important, not only to the nation of the Union now, but to millions yet

N. went on to argue that there was power to admit Texas as a State, and that the clause in the Constitution was entirely unobjectionable. He thought Congress could admit any or domestic States. Mr. Merrick seemed to have no fears of a large foreign territory, and quoted with approbation whatever looked like advantage, as for example the sentiment of the *Union*, that all North America should finally be admitted into the Union. Mr. Morris, at the close of his speech, read from Lu-

the course of his speech, read from Luther Martin, to show that he meant that Congress had power to admit foreign States to the Union.

Choate here interrupted Mr. Merrick — this question he said all were students of — paper of Luther Martin that had just been read. He had read twenty times with the greatest care, and he called upon the Senator to state whether it had the least bearing upon the question at issue. Was there any thing that showed that there was power to admit new foreign

in any thing he had said? Merrick admitted that there was none, he had read his opinion to show that he not have meant to keep out any foreign If he had meant foreign States, he have said so. Mr. Madison was also quoted to show what his views were upon the power of Congress. Mr. Merrick also spoke in of the expediency of the measure, and imputed Mr. Buchanan for opinions in of annexation which he was ready to as his own.

Huntington replied to some remarks made by Colquitt, comparing the North with the South.

Mr. Colquitt explained: "Mr. Huntington's remarks, and had not concluded between five and six o'clock, as I am closing better."

The Loco Focos have the majority just now. The Whig Senators being absent, and Mr. Clark acting with the Loco Focos. Twice the house refused to adjourn, and once when Mr. Huntington had declared that he was too fatigued to go on. Such acts of discourtesy very unusual in the Senate, and promising stormy and exciting conclusion of

Mr. Huntington has closed, and the case has adjourned.

**ORDER.**—The Civil and Diplomatic Appropriation Bill was discussed, and amended in its particulars. The office of Surveyor General was changed to Detroit.

The motion of C. J. Ingersoll, outstir, amounting to \$72,000, were voted for various new min-

and an amendment was passed for a full  
for a minister to China. **Mr. Merrick.**  
to the surprise of his friends, doubt-  
Mr. Merrick made a speech in the Senate,  
21st, in favor of annexation by joint re-  
sion. The conjunctural table of votes on  
solution, we made out a week or two  
will not be far from the mark.

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